

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

BANCROFT LIFE & CASUALTY ICC, LTD.,
a corporation organized under the laws of St.
Lucia,

Plaintiff,

v.

CESAR SCOLARI, an individual,

Defendant.

No. 3:11-cv-5017-RBL

ORDER REQUESTING RESPONSE RE:
COLLATERAL ESTOPPEL
[Dkt. #s 17, 34].

THIS MATTER is before the Court on the Plaintiff's "Notice of Collateral Order" [Dkt. #34], filed in connection with Plaintiff's Motion to Dismiss Counterclaims [Dkt. #17]. Plaintiff argues that Defendant's counterclaims are barred by collateral estoppel. The Plaintiff's argument is based on the decision of the United States District Court for the Central District of California in the matter of *Sea Czar, Inc. v. Bancroft Life & Casualty ICC, Ltd.*, Case No. SACV 11-68-JST, decided May, 5, 2011.

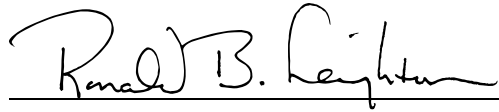
The Court Requests that the Defendant Respond to the Plaintiff's Notice, specifically addressing Plaintiff's argument that Defendant's declaratory judgment, breach of contract – specific performance, and fraud and misrepresentation counterclaims are barred by the prior decision. Any Response should not exceed 6 pages in length, and should be filed by June 24, 2011.

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1 **IT IS SO ORDERED.**

2 Dated this 13th day of June, 2011

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7 RONALD B. LEIGHTON
8 UNITED STATES DISTRICT JUDGE
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